

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday January 11, 2022 at 2:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Rhodes Shell, George Alexander; Ray DuBose, Cynthia Jenkins, Paul Guillaume and Dustin Koritko. Also present: City Manager, Cleatus Phillips; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – PUBLIC HEARING BUDGET FY2022 – DECEMBER 14, 2021

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Public Hearing on December 14, 2021 on the FY2022 budget and adopt them as presented.

MOTION CARRIED. (7-0)

MINUTES- REGULAR MEETING- DECEMBER 14, 2021

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting for December 14, 2021 and adopt them as presented.

MOTION CARRIED. (7-0)

RESOLUTION CERTIFYING THE RESULTS FOR THE CITY OF NEWNAN MUNICIPAL ELECTION ON NOVEMBER 2, 2021

Motion by Councilman Koritko, seconded by Councilman Guillaume to adopt the resolution as presented.

MOTION CARRIED. (7-0)

ADJOURNMENT- SINE DIE

Mayor Brady adjourned the meeting Sine Die.

CALL TO ORDER

Mayor Brady called the meeting to order for January 11, 2022 and delivered the invocation.

SWEARING IN CEREMONY

Mayor Keith Brady, Rhodes Shell (District 2, Post A) and Ray DuBose (District 2, Post B) were duly sworn in by the City Attorney.

ELECTION OF MAYOR PRO- TEM

Motion by Councilman Alexander, seconded by Councilman Shell to elect Councilman Ray DuBose as Mayor Pro Tem.

MOTION CARRIED. (7-0)

APPOINTMENTS- DEPARTMENT HEADS

City Manager recommended all current department heads be re-appointed for 2022.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to approve the recommendation and re-appoint all current Department Heads.

MOTION CARRIED. (7-0)

APPOINTMENT- CITY ATTORNEY

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to re-appoint Brad Sears as City Attorney for 2022.

MOTION CARRIED. (7-0)

APPOINTMENT- MUNICIPAL COURT JUDGE

Motion by Councilman Alexander, seconded by Councilman Koritko to re-appoint Clay Collins as Municipal Court Judge for 2022.

MOTION CARRIED. (7-0)

APPOINTMENT- MUNICIPAL COURT JUDGE PRO TEM

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to re-appoint Rufus Smith, Jr. as Municipal Court Judge Pro Tem for 2022.

MOTION CARRIED. (7-0)

APPOINTMENT- MUNICIPAL COURT SOLICITOR

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to re-appoint Danielle Sewell as Municipal Court Solicitor for 2022.

MOTION CARRIED. (7-0)

Mayor Brady asked City Manager to place all Boards & Commission appointments on the next agenda, other than the 2 appointments that he had.

APPOINTMENT- HOUSING AUTHORITY, 5 YEAR TERM

Mayor Brady re-appointed Eleanor Goode to the Housing Authority for another five-year term. No action required.

APPOINTMENTS- TREE COMMISSION, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Shell to re-appoint Laurie Pope for another three-year term.

MOTION CARRIED. (7-0)

CITY MANAGER- SCHEDULE CITY FLOATING HOLIDAY FOR 2022

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to approve the request to set July 5, 2022 as the City Floating Holiday for 2022.

MOTION CARRIED. (7-0)

ORDINANCE TO PROVIDE FOR THE ADOPTION OF A BUDGET, ITS EXECUTION AND EFFECT FOR FISCAL YEAR 2022

City Manager stated that at the budget hearing there had been discussion regarding 3 budget amendments. Those were to change COLA to 5%, change fuel budgets and add construction manager position. All 3 have been added and the budget is balanced.

Motion by Councilwoman Jenkins, seconded by Councilman Guillaume to adopt the budget ordinance as presented.

MOTION CARRIED. (7-0)

ADOPTION OF 2022 PAY PLAN UPDATE

City Manager explained the plan is to move pay 2.5% in order to stay competitive while recruiting and to not cause compression with the COLA increases.

Motion by Councilman Shell, seconded by Councilman Alexander to adopt the resolution as presented.

MOTION CARRIED. (7-0)

City Attorney commented that as the ordinances and resolutions are being passed out for signature they do not reflect the change in Mayor Pro Tem as they were prepared in advance of the meeting. He asked that everyone sign and the appropriate Mayor Pro Tem will be noted.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – GRAND CAFÉ, LLC DBA BIG JOE’S BAR & GRILLE

Mayor Brady open a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Grand Café, LLC dba Big Joe’s Bar & Grille, 1329 Bullsboro Dr.

A representative of applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Shell, seconded by Councilman Koritko to approve the application for a Retail On Premise (Pouring) Sales Distilled Spirits, Malt Beverages and Wine License.

MOTION CARRIED. (7-0)

CONSIDERATION OF AMENDMENT TO CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES, TO AMEND RESIDENCY REQUIREMENT FOR LICENSEE

Assistant City Manager explained that this would remove the requirement that currently states a licensee, license holder or license representative has to live in Coweta County. The amended section would say U.S Citizen or Legal Alien.

Councilman Koritko proposed that the license holder should be an onsite working manager, someone to have the responsibility onsite. City Attorney clarified that currently that is how it is, licensee can live out of state but then a license representative is required to live in the County.

It was discussed why this was being proposed to change. Currently the license representative requirement as it is written causes challenges for larger companies such as Kroger, if they have a store manager who lives in McDonough and commutes then they can’t be the license representative. It was noted that there have not been any license issues in the past related to these requirements. A number of license holders have asked City Staff for this change.

City Attorney gave historic background as to how this came to be in the ordinance. Councilwoman Jenkins clarified that the complaint has been about the residency requirement and this amendment removes that and the license representative position.

Motion by Councilman Shell, seconded by Mayor Pro Tem DuBose to adopt the amended ordinance as presented. Opposed: Jenkins, Koritko. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-2)

CONSIDERATION OF CONSTRUCTION CONTRACT AWARD, BUDGET AND FUNDING FOR CITY HALL RECEPTION DESK

Assistant City Manager stated this is a recommendation for a budget for this project of \$89,000 which includes a construction contract of \$69,000, furniture budget \$15,000 and contingency of \$5,000. The recommendation is to award the contract to Tomco Construction. Tomco constructed the current City Hall building.

Motion by Councilman Shell, seconded by Councilman Alexander to award the contract to Tomco Construction as recommended.

MOTION CARRIED. (7-0)

CONSIDERATION OF CONTRACT AWARD FOR STORM DEBRIS CLEAN-UP ON CITY OWNED PROPERTY

Ray Norton, Public Works Director, recommended that a contract be awarded to Piedmont Paving in the amount of \$220,533. This is to clean up city property on E. Broad St. behind the substation, Savannah St., and Pinson St., to help remove the scar left by the Tornado.

Motion by Councilman Alexander, seconded by Councilman Shell to award the contract to Piedmont Paving as recommended.

MOTION CARRIED. (7-0)

REQUEST TO ABANDON PUBLIC RIGHT OF WAY

Michael Klahr, City Engineer, explained that the City was approached by the owner of the property on Norman Blvd. Their intention is to sub-divide and build single family lots. They are asking the City abandon unimproved right of way referred to as Highland Avenue.

City Attorney explained this was part of a proposed subdivision and roads were laid out. It appears half may have already been abandoned further down. If Council approves this then the rest of the road should be looked at as it may need to go to the Housing Authority. This will just begin the process.

Motion by Councilman Alexander, seconded by Councilman Shell to begin the process of abandonment.

MOTION CARRIED. (7-0)

CONSIDERATION OF AN AGREEMENT BETWEEN CITY OF NEWNAN AND THE FRIENDS OF LINC, INC TO SUPPORT AND PROMOTE THE LINC MULTI-USE TRAILS

Assistant City Manager explained that this is an amended contract. In 2019 the City entered into a multi-agency contract to fund the construction of the LINC trails. The trails have been widely successful in our community. The initial 3 years of the contract is over and now it is recommended that the City continue in an agreement with the Friends of LINC, Inc. The other partners who had been involved do not seem to be interested in continuing. The Director of the Friends of the LINC will no longer be a paid staff member so original agreement does not need to continue. City Staff feels it is important to support and promote the LINC.

Motion by Councilman Guillaume, seconded by Councilman Alexander to enter into the agreement as presented.

MOTION CARRIED. (7-0)

CONSIDERATION OF MEAG SALE OF GEORGIA PUBLIC WEB ASSETS

Mayor Brady explained that in 1996 there was a need to connect MEAG cities with fiber. Georgia Public Web was created out of that and that need no longer exists. City of Newnan along with many other MEAG cities were part of the Georgia Public Web. It was funded by Newnan Utilities. It is time to sell off the asset and they have found a buyer. All members involved must approve the sale.

City Attorney clarified that two motions are needed as there are two resolutions related to this item. One for the sale and one stating the distribution of monies.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the sale.

MOTION CARRIED. (7-0)

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the distribution of monies to Newnan Utilities directly.

MOTION CARRIED. (7-0)

APPOINTMENT OF VOTING DELEGATE FOR CITIES UNITED SUMMIT

Mayor Brady explained that this used to be called Mayor's weekend. A few council members are attending this year. The reason for a voting delegate this year is to elect a new 3rd Vice President as a backfill.

Motion by Councilman Shell, seconded by Councilman Koritko to appoint George Alexander as voting delegate.

MOTION CARRIED. (7-0)

**REQUEST FROM BIKE COWETA TO CLOSE SOUTH COURT SQ APRILL 23, 2022
FOR ROCK & ROAD FESTIVAL**

Motion by Mayor Pro Tem DuBose, seconded by Councilman Shell to approve the request as presented.

MOTION CARRIED. (7-0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 3:14PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council was within the exceptions provided by O.C.G.A. Section 50-14-4(b).

MOTION CARRIED. (7-0)

SMITH CLAIM

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Smith claim.

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Mayor Pro Tem DuBose to adjourn the Council meeting at 3:16pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor